

## RESOLUTION #27-1539-2015-02

TRIBAL GOVERNMENT  
Administrative

**WHEREAS**, the Fort Peck Tribal Executive Board is the duly elected body representing the Assiniboiné and Sioux Tribes of the Fort Peck Reservation and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws, and

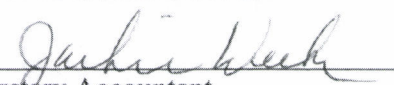
**WHEREAS**, the Fort Peck Tribal Executive Board is opposing the construction of the Keystone Pipeline Project, and

**WHEREAS**, the Finance Committee recommend authorizing the Chairman to send a letter via email expressing the Fort Peck Tribes opposition to the Keystone Pipeline Project, now

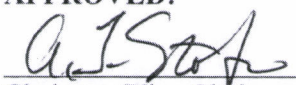
**THEREFORE BE IT RESOLVED**, that the Fort Peck Tribal Executive Board hereby authorize the Chairman to send a letter via email expressing the Fort Peck Tribes opposition to the Keystone Pipeline Project.

## CERTIFICATION

I, the undersigned Secretary/Accountant of the Tribal Executive Board of the Assiniboiné and Sioux Tribes of the Fort Peck Indian Reservation, hereby certify that the Tribal Executive Board is composed of 12 voting members of whom 11 constituting a quorum were present at a Special Board meeting duly convened this 9th day of February, 2015 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 11 for and 1 absent.

  
Secretary Accountant

## APPROVED:

  
Chairman/Vice Chairman  
Fort Peck Tribal Executive Board

# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MKE-11-030



### TITLE: Opposition to Construction of the Keystone XL Pipeline and Urging the U.S. to Reduce Reliance on Oil from Tar Sands and Instead, to Work towards Cleaner, Sustainable Energy Solutions

#### EXECUTIVE COMMITTEE

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**Jefferson Keel**  
*Chickasaw Nation*

##### FIRST VICE-PRESIDENT

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*Pauma Band – Mission Indians*

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*Jamestown S'Klallam Tribe*

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*Central Council Tlingit & Haida*

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**Cara Cowan Watts**  
*Cherokee Nation*

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*Rosebud Sioux Tribe*

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*Mille Lacs Band of Ojibwe*

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*Shinnecock Indian Nation*

##### NORTHWEST

**Brian Cladoosby**  
*Swinomish Tribal Community*

##### PACIFIC

**Don Arnold**  
*Scotts Valley Band of Pomo Indians*

##### ROCKY MOUNTAIN

**Scott Russell**  
*Crow Tribe*

##### SOUTHEAST

**Larry Townsend**  
*Lumbee Tribe*

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**Robert Tippeconnic**  
*Comanche Nation*

##### SOUTHWEST

**Joe Garcia**  
*Ohkay Owingeh*

##### WESTERN

**Irene Cuch**  
*Ute Indian Tribe*

##### EXECUTIVE DIRECTOR

**Jacqueline Johnson Pata**  
*Tlingit*

#### NCAI HEADQUARTERS

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Washington, DC 20005  
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[www.ncai.org](http://www.ncai.org)

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, a major oil transmission pipeline is planned to extend from northern Alberta, Canada, from areas that have sand mixed with tar and oil, called "tar sands," to refineries in the United States; and

**WHEREAS**, the route of the pipeline, called Keystone XL because it is the second oil transmission pipeline to be constructed by the same company that built the first Keystone pipeline, crosses through Indian country in northern Alberta, Saskatchewan, Montana, North Dakota, South Dakota and Nebraska, near and potentially over, many culturally significant areas for Tribal Nations within those provinces and states; and

**WHEREAS**, based on the relatively poor environmental record of the first Keystone pipeline, which includes numerous spills, U.S. regulators shut the pipeline down in late May, 2011, and, therefore, based on the record of the first Keystone pipeline, and other factors, it is probable that further environmental disasters will occur in Indian country if the new pipeline is allowed to be constructed; and

**WHEREAS**, the First Nations of Canada, representing the vast majority of First Nations impacted by "tar sands" development, have unanimously passed resolutions supporting a moratorium on new "tar sands" development and expansion until a "cumulative effects management system" is in place, and are also in opposition to the pipeline; and



**WHEREAS**, many U.S. Tribal Nations are also in opposition to the Keystone XL pipeline because it would threaten, among other things, water aquifers, water ways, cultural sites, agricultural lands, animal life, public drinking water sources and other resources vital to the peoples of the region in which the pipeline is proposed to be constructed; and

**WHEREAS**, Indian tribes including the Affiliated Tribes of Northwest Indians are also in opposition to the Exxon-Imperial “Heavy Haul” proposal to transport “tar sands” equipment through the Nez Perce Reservation and across scenic highways, and several Indian tribes have joined in litigation to stop this proposal; and

**WHEREAS**, the pipeline is unnecessary as a number of other pipelines are not at full capacity to carry oil from Canada to refineries in the U.S., and the oil is also not likely to end up on the U.S. market but will be exported to foreign countries; and

**WHEREAS**, Tribal Nations and First Nations within Indian country near the route of the proposed pipeline have already stated their opposition to the proposed route of the pipeline, and because of earlier opposition from both Tribes and environmental groups, a supplemental environmental impact statement has been required by the United States Environmental Protection Agency from the proposed operators of the pipeline, a draft of which is now available for public comment; and

**WHEREAS**, since the pipeline is designed to cross the U.S.-Canadian border, the United States Department of State is the lead U.S. agency in evaluating whether the pipeline should be allowed to be constructed in the U.S.; and

**WHEREAS**, the First Nations of Canada and Tribal Nations within the U.S. have a long history of working to ensure protection of their environment, and the Keystone XL pipeline poses grave dangers if it is constructed.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby oppose the Keystone XL pipeline and the Exxon-Imperial Heavy Haul proposal and their negative impacts on cultural sites and the environment in those portions of Indian country over and through which it is proposed to be constructed, and agrees to file comments regarding this opposition to the Keystone XL pipeline with the Secretary of State as soon as possible; and

**BE IT FURTHER RESOLVED**, that the NCAI hereby urges all affected Tribal Nations to submit comments to the U.S. Department of State regarding the Keystone XL project; and


**BE IT FURTHER RESOLVED**, that the NCAI hereby expresses its solidarity with Canadian First Nations in their efforts to protect their communities, aboriginal land and treaty rights, and their request for a moratorium and better management practices on expanded “tar sands” development and opposition to the Keystone XL pipeline; and

**BE IT FURTHER RESOLVED**, that the United States is urged to reduce its reliance on the world’s dirtiest and most environmentally destructive form of oil – the “tar sands” – that threatens Indian country in both Canada and the United States and the way of life of thousands of citizens of First Nations in Canada and American Indians in the U.S., and requests the U.S. government to take aggressive measures to work towards sustainable energy solutions that include clean alternative energy and improving energy efficiency; and

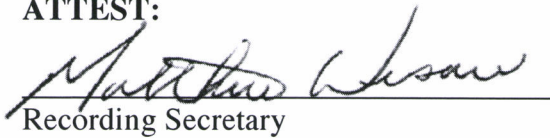
**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2011 Mid-Year Session of the National Congress of American Indians, held at the Frontier Airlines Center in Milwaukee, WI on June 13-16, 2011, with a quorum present.

  
\_\_\_\_\_  
President

**ATTEST:**

  
\_\_\_\_\_  
Recording Secretary





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The Keystone XL pipeline is now opposed by the Sioux and Assiniboine tribes of the Fort Peck Reservation in Montana.

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## Too Many Broken Pipelines: Fort Peck Reservation Passes Resolution Opposing Keystone XL Through Montana

**JACK MCNEEL** | 2/24/15

The Sioux and Assiniboine tribes of the Fort Peck Reservation have passed a resolution opposing the Keystone XL pipeline, the first reservation in Montana to do so.

The pipeline would jeopardize drinking water projects for the reservation, tribal officials told Indian Country Today Media Network.

On January 29 the Senate passed legislation that would force the \$8 billion pipeline through, though President Barack Obama has promised to veto it when it reaches his desk on February 24. The Tribal Executive Board meeting on February 9 formalized the opposition by resolution, supporting an e-mail they had submitted earlier, on January 27, and prior to the congressional vote.

The Fort Peck vote in effect pits the tribes against Montana Senators Jon Tester and Steve Daines, who voted in favor of the bill, a link that did not come without some mixed feelings.

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"I'm a big fan of Senator Tester. He has done so much for us, and we're on a first-name basis in talking with each other," tribal Chairman A.T. Stafne told ICTMN. The chairman also noted that he is "a big fan of President Obama. I respect him very much."

The pipeline would be located upstream from Fort Peck Dam, and should the pipeline ever be breached it could contaminate the entire Missouri River water supply, tribal councilmen told ICTMN. The intake for the Assiniboine/Sioux Water Project is on the reservation off the Missouri River. The Missouri River borders the reservation to the south near the central portion of the reservation.

"This project will provide water for at least 30,000 people," said Bill Whitehead, a tribal member, former councilman and former state legislator who is now chairman of the Assiniboine/Sioux Water Project. "Through our treaty rights and water compacts it covers all of northeastern Montana, including the reservation and four counties."

This new water supply system is upstream from Poplar, Montana, and will eventually provide water to every town in northeastern Montana from Glasgow to the North Dakota border. An oil spill could poison the water for thousands here as well as downstream in North Dakota, he said.

Whitehead noted that they also work with off-reservation people, non-Indians, through the Water Project. The tribes have rights to more than one million cubic feet of flowing water from the river.

"We're very close to Fort Peck Dam, and that put the pipeline close to the spillway of the dam," Stafne said. The original Keystone XL route ran right through the reservation, he said, but that was later changed to skirt it to the west.

"Three years ago we had floods, and Fort Peck Dam was about to overflow, and they had to open the spillway," Stafne said. "It damaged the spillway, and even last year they were trying to repair it. Where they're moving near that spillway is a dangerous spot."

Three recent breaks of other pipelines in the area add to the tribes' concern. Just recently the Poplar Pipeline near Glendive spilled 30,000 gallons of oil into the Yellowstone River and shut off drinking water for five days to citizens of Glendive. Whitehead noted that if the Keystone pipeline were to rupture, it would have 10 times the effect of the Glendive spill.

**RELATED:** Yellowstone River Oil Spill Raises Concerns About Keystone XL Impact

In July 2011 another oil pipeline break occurred near Lowell, Montana, also on the Yellowstone River. And in North Dakota, this past January, three million gallons of toxic brine water used for fracking spilled into the Missouri River, contaminating nearby creeks. This brine water is a byproduct of oil and gas production and was the worst spill of this type since fracking began in North Dakota. They mirror several spills from last year, as well.

**RELATED:** More Briny Wastewater Spills into Fort Berthold Soil

"I'm not opposed to the oil going through," Stafne said. "But it's basically the route and the danger they're placing our people in here in northeastern Montana, just to get away from the Indian reservation."

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